

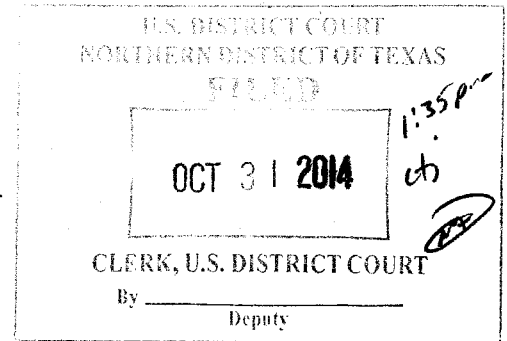
TRULINCS 47601177 - KUTJ, JONATHAN DANIEL Unit: FTW J-A

pg 1 of 3

FROM: ~~47601177~~
TO:
SUBJECT:
DATE: 10/25/2014 09:01:39 PM

ORIGINAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION



UNITED STATES OF AMERICA

v.

JONATHAN DANIEL KUTEJ, ex rel.

No.: 4:14-CR-074-Y

Special Appearance by Affidavit

I, come now in peace, by special appearance, Jonathan Daniel, house of Kutej, sui juris, "All rights reserved from birth till death, UCC 1-308, formerly 1-207", In Propria Persona, alive in Full Life, alive both civilly and physically, a living breathing, flesh and blood, Ambassador, Minister, and Son of God, Domiciled in Heaven, temporarily member to the Republic in the Union state, Texas, (hereinafter, Me, me, Myself, myself, I, "non corporate lower case spelling of" Jonathan Daniel Kutej, Jonathan Daniel, Jonathan or Kutej) the innocent, wrongfully accused, affiant, and Authorized Representative of JONATHAN DANIEL KUTEJ the, Defendant, Corporate Fictional Person/Construct/Entity, Civiliter Mortus, (hereinafter, JONATHAN DANIEL KUTEJ, JONATHAN DANIEL, JONATHAN, KUTEJ, Defendant, Straw-man, Straw or It) state the following is true, correct, and complete to the bests of my knowledge, and belief, SO HELP ME God:

TRULINCS ~~47601177~~ - KUTJ, JONATHAN DANIEL Unit: ~~FTW-J-A~~

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FROM: ~~47601177~~

TO:

SUBJECT:

DATE: 10/22/2014 02:39:01 PM

- A. Who has been damaged in this case?
- B. If they were damaged, what are the damages?
- C. Seeing as the UNITED STATES OF AMERICA is the plaintiff the damages would have to be monetary in nature, "commercial value" what is the commercial value?
- D. If the plaintiff "UNITED STATES OF AMERICA" CAN NOT show and prove a commercial value, then UNITED STATES OF AMERICA has no claim and CANNOT BRING FORTH CHARGES.
- E. If the UNITED STATES OF AMERICA, can show and prove a commercial value, then payment for said valued damages could be paid and resolution and/or remedy, could be reached.

1. Truth can only be expressed in the form of a legal affidavit. From Medieval Latin origin, affidavit means he has pledged his faith ; akin to the word affiant from the Middle French, affier: to pledge faith, swear. Forma legalis forma essentialis. Legal form is essential form.
2. A legal affidavit is undisputed truth, unless a counter-claim or rebuttal has been made Since an affidavit is sworn and pledged by faith, it is presumed to be absolute truth unless another sworn claim counters it in rebuttal.
3. An undisputed affidavit first presented is considered absolute in truth. By not rebutting what has been claimed against him, one becomes guilty by his silence. Idem non esse et non apparet. It is the same thing not to exist and not to appear. Qui tacet consentire videtur. He who is silent appears to consent.
4. All matters must be expressed in order to be resolved. No claim can be made against another unless an affidavit has been presented stating the reasons of law supporting the claim along with the events of the interchange.
5. The party who leaves the dispute first also loses by default. If one walks away from a claim or dispute in commerce, either by silence in default or failure to properly rebut, he becomes an instant loser. Omnis consensus t alit errorem Every consent removes error.
6. One must be damaged in some way to make a claim or charge against another. Damages in commerce are always equitable and a loss of equity must be shown in order to make a claim. In commerce, all thing have a commercial value including intellectual property. Actio non datur non damnificato An action is not given to him who has received no damages.
7. A lien or claim can be satisfied only by award of a counter-affidavit, resolution by a jury, or payment in satisfaction. A commercial claim must be resolved by a rebuttal, a jury, or relief to the claim by payment for damages. Arbitrium est iudicium. An award is a judgment.
8. Scire debes cum quo contrahis. You ought to know with whom you deal. What we are specifically dealing with here is how the laws of commerce are used against the common man, and just who is behind it. Much has been written and documented concerning the continuing bankruptcy of the United States federal government. Reference to this has even been codified into federal law.

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I declare under penalty of perjury under the laws of the Republic where I temporarily occupy but do not maintain a "domicile" or "residence" and from without the "United States" defined in 28 U.S.C. §1603(c) 26 U.S.C. §7408(d), and 26 U.S.C. §7701(a)(9) and (10) and only when litigated under the following conditions that the facts, exhibits, and statements made by in this and the attached pleading me are true, correct, and complete to the best of my knowledge and ability in accordance with 28 U.S.C §1746(1).

1. Jury trial in a court of a state of the Union and not a federal court.
2. Constitutional diversity of citizenship under U.S. Constitution Article III, Section 2 but NOT statutory diversity pursuant to 28 U.S.C. §1332(a)(2).
3. No jurist or judge may be a statutory "U.S. citizen" under 8 U.S.C. §1401, a "taxpayer" under 26 U.S.C. §7701(a)(14), or be in receipt of any federal financial or other privilege, benefit, or employment, nor maintain a domicile on federal territory in order to avoid violating 18 U.S.C. §597 and 28 U.S.C. §455. Such persons would NOT be my "peers", but my mortal socialist enemies.
4. The common law of the state of the Union and no federal law or act of Congress or the Internal Revenue Code are the rules of decision, as required Fed.R.Civ.P. Rule 17(b), 28 U.S.C. §1652, and Erie RR v. Tompkins, 304 U.S. 64 (1938).
5. Any judge who receives retirement or employment benefits derived from Subtitle A of the I.R.C. recuse himself in judging the law and defer to the jury to judge both the facts and the law, as required under 18 U.S.C. §208, 28 U.S.C. §144, and 28 U.S.C. §455.
6. All of the pleadings, exhibits, and statements made, including those about the law, are admitted into evidence and subject to examination by the jury and/or fact finder.
7. None of the pleadings in the case are sealed or unpublished so as to cover up government wrongdoing or otherwise obstruct justice.
8. The signator is not censored or restricted by the judge in what he can say to the jury during the trial.
9. Submitter is treated as a "foreign sovereign" under the Foreign Sovereign Immunities Act, 28 U.S.C. § 1602 through 1611.
10. Submitter is not treated as a "person" under 26 U.S.C. § 6671(b) or 26 U.S.C. §7343, which is defined as an officer of a corporation or partnership who has a fiduciary duty to the public as a "public officer".
See: <http://sedm.org/Forms/MemLaw/WhyThiefOrEmployee.pdf>
<http://sedm.org/Forms/Affidavits/AffCorpDenial.pdf>
11. Submitter is not treated as an "individual", which is defined in 5 U.S.C. § 552a(a)(2) as a "U.S. Citizen" under 8 U.S.C. §1401 or a permanent resident, who collectively are domiciliaries of the "United States", which is defined as the "District of Columbia" in 26 U.S.C. §7701(a)(9) and (a)(10) and is not extended elsewhere in the code to include states of the Union.
12. If the I.R.C. Subtitle A, which is private law, a "public right", a franchise, and a "statutory privilege" that only applies to those who consent explicitly or implicitly, is cited by the opponent against the Submitter, then the opponent must provide written proof of informed consent by the Submitter to the terms of the private law being cited. This is a fulfillment of the requirement that when jurisdiction is challenged, proof of jurisdiction must appear on the record. Otherwise, the private law must be removed from evidence of a liability or obligation. "Waivers of Constitutional rights not only must be voluntary, but must be knowing, intelligent acts done with sufficient awareness of the relevant circumstances and likely consequences." [Brady v. U.S., 397 U.S. 742 (1970)]

Non-acceptance of this affirmation or refusal to admit all evidence attached to this pleading into the record by the Court shall constitute evidence of duress upon the Submitter. This affirmation is an extension of my right to contract guaranteed under Article 1, Section 10 of the United States Constitution and may not be interfered with by any court of a State of the Union or of the United States



Signature

10/28/2014
Date Signed

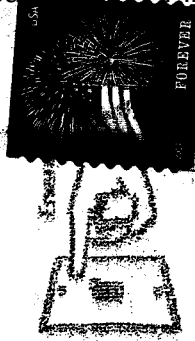
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